

REMARKS

Claims 1 - 5, 7 - 21, and 26 are in the application. Claims 1, 16, and 21 are currently amended; claims 2 - 4, 10, 14, and 26 were previously presented; claims 6, and 22 - 25 are canceled; and claims 5, 7 - 9, 15, and 17 - 20 remain unchanged from the original versions thereof. Claims 1, 16, and 21 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1 - 5, 7 - 18, and 21 were rejected under 35 U.S.C. 102(e) as being fully anticipated by Basch et al., U.S. Patent No. 6, 119,103 (hereinafter, Basch). This rejection is respectfully traversed.

Applicant notes that Basch is fundamentally concerned with a computer-implemented method for predicting financial risk. Basch discloses financial risk prediction techniques that use scoreable transactions as input data to assess the level of financial risk of a particular account and/or account holder. Examples of scoreable transactions include, for example, authorization requests for purchases of goods or services made on credit, clearing and settlement transactions between merchants and account issuers pertaining to one or more accounts, account issuer-supplied account records, public records, and the like. (See Basch, col. 5, ln. 8-16)

Furthermore, Applicant also notes that Basch is directed towards a method and system for predicting financial risk. Specifically, Basch discloses a system and method for transmitting a financial score directly to an account issuer in an event the financial score determined by the disclosed system is below a predefined threshold. (See Basch, col. 3, ln. 50-62) The Basch disclosed system and method are directed to and address financial risks. Basch discusses financial risks that may be indicated by, for example,

credit scores. Basch explicitly and repeatedly discloses that the specific and only risk considered therein are financial risks.

Contrary to Applicant's claims 1, 16, and 21 (at least), Basch does not disclose or suggest the same type of legal, regulatory, and reputational risks claimed by Applicant. Claims 1, 16, and 21 clearly recite the legal, regulatory, and reputational risks considered and managed by the claimed method, system, and computer executable program code. Support for the claimed legal, regulatory, and reputational risks may be found in the Specification at least at page 7, paragraph 4 – page 8, paragraph 1. In addition to being cited and relied upon by the Examiner, claims 1 – 7, 19, and 29 further emphasize the fact that Basch specifically and exclusively relates to a financial risk

Thus, it is clear from the cited and relied upon Basch, that there is no disclosure or suggestion in Basch that the scoreable transactions therein relating specifically to financial risks are the same as, similar to, or suggestive of the legal, regulatory, and reputational risks claimed by Applicant.

Therefore, for at least the foregoing reasons, Applicant respectfully submits that the cited and relied upon of Basch does not anticipate claims 1, 16, and 21 under 35 USC 102(e). Claims 2 – 5 and 7 – 15 depend from claim 1 and claims 17 – 18 depend from claim 16. Applicant respectfully submits that claims 2 – 5, 7 – 15, and 17 – 18 are patentable over Basch for at least the same reasons provided herein regarding claims 1 and 16.

Therefore, the reconsideration and withdrawal of the rejection of claims 1 – 5, 7 – 18, and 21 under 35 USC 102(e) are respectfully requested, as is the allowance of same.

Claim Rejections Under 35 USC § 103(a)

Claims 19, 20, and 26 were rejected as being unpatentable over Basch. This rejection is respectfully traversed.

Claim 26 depends from claim 1 and claims 19 and 20 depend from claim 16. Furthermore, Applicant has clearly shown that the Basch fails to disclose that for which it was cited and relied upon for disclosing with regards to claims 1 and 16. Therefore, Applicant respectfully submits that the insufficient disclosure of Basch does not suggest the claimed aspects of claims 19, 20, and 26. Therefore, Applicant respectfully submits that claims 19, 20 are patentable over the cited and relied upon Basch under 35 USC 103(a).

Accordingly, the reconsideration and withdrawal of the rejection of claims 19, 20, and 26 under 35 USC 103(a) are respectfully requested, as is the allowance of same.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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